



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,369	09/27/2006	Bernardus H.W. Hendriks	GB 040078	7688
24737 7590 08/27/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER COLLINS, DARRYL J	
			ART UNIT 2873	PAPER NUMBER
			MAIL DATE 08/27/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/599,369

Applicant(s)

HENDRIKS ET AL.

Examiner

Darryl J. Collins

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-13 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 and 8-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Onuki et al (U.S. Patent Number 6,806,988).

Onuki et al teaches a controllable optical lens system, comprising a chamber (column 5, lines 50-54) housing first and second fluids (Figure 2, elements 121 and 122, respectively), the interface between the fluids defining a lens surface (Figure 2, element 124), an electrode arrangement (Figure 2, elements 103 and 125) for electrically controlling the shape of the lens surface (column 6, lines 8-12), the electrode arrangement comprising first (Figure 2, element 121) and second (Figure 2, element 122) electrodes, a power source (Figure 2, element 126) for supplying current to the electrodes (column 6, lines 8-12), means for monitoring the current supplied by the power source over time and deriving the charge supplied (column 8, lines 37-42), means for monitoring the voltage on one of the electrodes of the electrode arrangement (column 8, lines 47-56), and a means for deriving from a desired lens power a value for controlling the total change to be supplied to the electrode arrangement (column 12, lines 34-37) as claimed in independent claim 1.

Art Unit: 2873

Onuki et al also teaches a controllable optical lens system, as described above, wherein the means for deriving a value is for deriving a ratio of the charge supplied to the voltage (column 8, lines 63-67) as claimed in dependent claim 2.

Onuki et al again teaches a controllable optical lens system, as described above, wherein the power source is also for maintaining a constant voltage and is controlled to maintain the voltage on the one of the electrodes after the derived ratio between the charge supplied and the voltage had been reached (Figure 8E) as claimed in dependent claim 3.

Onuki et al further teaches a controllable optical lens system, as described above, wherein the means for deriving comprises a look-up table (column 9, line 66 – column 10, line 4) as claimed in dependent claim 4.

Onuki et al still further teaches a controllable optical lens system, as described above, wherein the look-up table receives as input an effective electrode height, which depends on the lens power, and provides as output the ratio of the charge supplied to the voltage (Figure 10, steps S121, S122, S123 and S124) as claimed in dependent claim 5.

Still further, Onuki et al teaches a controllable optical lens system, as described above, wherein the electrode arrangement comprises a drive electrode arrangement comprising a base electrode (Figure 2, element 103) and a side wall electrode (Figure 2, element 125) as claimed in dependent claim 6.

Once again, Onuki et al teaches a controllable optical lens system, as described above, wherein the first fluid comprises a polar and/or conductive liquid (column 6, line 21) and the second fluid comprises a nonconductive liquid (column 6, lines 17-18) as claimed in dependent claim 8.

Onuki et al teaches a method of driving a controllable optical lens system, comprising a chamber (column 5, lines 50-54) housing first and second fluids (Figure 2, elements 121 and 122, respectively), the interface between the fluids defining a lens surface (Figure 2, element 124), an electrode arrangement (Figure 2, elements 103 and 125) for electrically controlling the shape of the lens surface (column 6, lines 8-12), the electrode arrangement comprising first (Figure 2, element 121) and second (Figure 2, element 122) wherein the method comprises selecting a desired lens power (Figure 10, element S122), deriving from the desired lens power a value for controlling the total charge to be supplied to the electrode arrangement (Figure 10, element S124), supplying current to the electrode arrangement (Figure 9, element 131), monitoring the current supplied over time and deriving the charge supplied and monitoring the voltage on one of the electrodes of the electrode arrangement and applying current until the total charge supplied to the electrode arrangement reaches the desired value (Figure 9) as claimed in independent claim 9.

Onuki et al also teaches a method of driving a controllable optical lens system, as described above, wherein deriving a value comprises deriving a ratio of the charge supplied to the voltage (column 8, lines 63-67) as claimed in dependent claim 10.

Onuki et al again teaches a method of driving a controllable optical lens system, as described above, further comprising maintaining a constant voltage on the one of the electrodes of the electrode arrangement after the derived ratio between the charge supplied and the voltage had been reached (Figure 8E) as claimed in dependent claim 11.

Onuki et al further teaches a method of driving a controllable optical lens system, as described above, wherein the deriving a value indicating the total charge to be supplied

Art Unit: 2873

comprises accessing a look-up table (column 9, line 66 – column 10, line 4) as claimed in dependent claim 12.

Onuki et al still further teaches a method of driving a controllable optical lens system, as described above, wherein the look-up table receives as input an effective electrode height, which depends on the lens power, and provides as output the ratio of the charge supplied to the voltage (Figure 10, steps S121, S122, S123 and S124) as claimed in dependent claim 13.

#### ***Allowable Subject Matter***

Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claims, in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. Although the prior art teaches controllable optical lens system, comprising a chamber housing first and second fluids, the interface between the fluids defining a lens surface, an electrode arrangement for electrically controlling the shape of the lens surface, the electrode arrangement comprising first and second electrodes, a power source for supplying current to the electrodes, means for monitoring the current supplied by the power source over time and deriving the charge supplied, means for monitoring the voltage on one of the electrodes of the electrode arrangement, and a means for deriving from a desired lens power a value for controlling the total charge to be supplied to the electrode arrangement, wherein the electrode

Art Unit: 2873

arrangement comprises a drive electrode arrangement comprising a base and a side wall electrode the prior art fails to teach such a lens system wherein the side wall electrode comprises an annular electrode which surrounds the chamber as claimed in dependent claim 7.

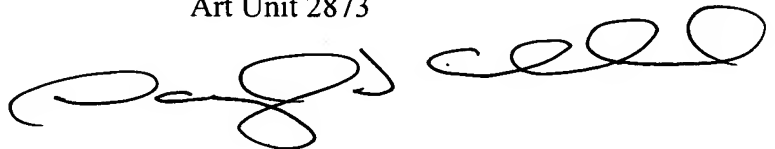
*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darryl J. Collins whose telephone number is 571-272-2325. The examiner can normally be reached on 6:30 - 5:00 Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Darryl J. Collins  
Patent Examiner  
Art Unit 2873



21 August 2007